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Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of)
)
Amendment of Section 73.622(b)) MM Docket No. 01-245
Table of Allotments,) RM-10235
Digital Television Broadcast Stations.)
(Lufkin, Texas))

COMMENTS OF
INTERNATIONAL BROADCASTING NETWORK

I.

International Broadcasting Network (IBN) hereby submits its comments in response to the Notice of Proposed Rule Making adopted by the Commission on September 14, 2001, and released on September 19, 2001. Because of time constraints, IBN's comments will be brief and limited to a few matters of great importance.

II.

Before any consideration is given to the merits of the proposed amendment of the DTV Table of Allotments, there are some threshold issues that need to be addressed.

Those issues include the following:

1. Is the company which proposed and is advocating the amendment, Civic License Holding Company, Inc., the real party at interest?
2. Has Civic License Holding Company, Inc., made misrepresentations to the Commission concerning its ownership and operation of KLTV and KTRE?
3. If the Commission should make a finding against Civic License Holding Company, Inc., in regard to either of the foregoing issues, should the proposed amendment be denied *ipso facto*?

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III.

Although IBN does not claim to have definitive answers to the issues listed in the preceding paragraph, it does believe the issues to be serious and worthy of investigation by the Commission. Among the relevant facts known to IBN are the following:

1. According to the Commission's database, and according to numerous filings made with the Commission, Civic License Holding Company, Inc., of Jackson, Mississippi, is the licensee of KLTV and KTRE.
2. Despite persistent efforts over a period of approximately 18 months, IBN has been unable to reach the president of Civic License Holding Company, Inc.
3. A knowledgeable industry source has informed IBN that Civic License Holding Company, Inc., no longer exists.
4. A responsible employee of KTRE has told several persons, including the president of IBN, that Frank Melton, who signed the permit applications (FCC 301) on behalf of Civic License Holding Company, Inc., filed with the Commission on May 1, 2000, had nothing to do with those applications except to sign them pursuant to the instructions of the new owners of KLTV and KTRE. That was at a time well before there was any public acknowledgement of a change in ownership or control.
5. On September 28, 2001, the general manager of KTRE in Lufkin, Texas, sent an e-mail to IBN stating, "I am not knowledgeable about Civic License Holding Co."
6. On October 4, 2001, IBN sent a letter by certified mail addressed to the president of Civic License Holding Company, Inc., inquiring about several matters of concern, including the ownership and control of KLTV and KTRE. The letter, a copy of which is attached hereto as Exhibit A, was not answered.
7. KLTV and KTRE have recently been identified with a number of companies, including some or all of the following:

The Liberty Corporation
Cosmos Broadcasting Corporation
Civic Communications Corporation
Civic Communications Corporation II
TV-3, Inc.

8. At the present time, KLTV and KTRE claim to be owned and operated by The Liberty Corporation. A few months ago, those stations claimed to be owned and operated by Cosmos Broadcasting Corporation, a subsidiary of The Liberty Corporation. According to the Commission's database, neither company is the licensee of record.
9. On October 5, 2001, IBN made a search of the official web site of the Mississippi Secretary of State to determine if Civic License Holding Company, Inc., was authorized to do business in that state. The response was that "No Records were found ...". A printout of that search is attached as Exhibit B.
10. Also on October 5, 2001, IBN made inquiry of the Texas Secretary of State concerning several companies, including Civic License Holding Company, Inc., and The Liberty Corporation. On October 8, 2001, the following reply was received concerning Civic License Holding Company, Inc: "NO LISTING". The reply concerning The Liberty Corporation stated: "FILED A CERTIFICATE OF WITHWAWAL ON 1/18/89. WAS FOREIGN OUT OF SOUTH CAROLINA. FILE NUMBER 5207606."
11. Based upon all the information available to IBN, it is IBN's belief that KLTV and KTRE are actually owned and operated by The Liberty Corporation and not by Civic License Holding Company, Inc., the licensee of record, and that actual control of KLTV and KTRE may have been assumed by The Liberty Corporation or its subsidiary Cosmos Broadcasting Corporation long before there was any official acknowledgement of a change in ownership or control.

All of these facts, as well as other facts known to IBN, would seem to raise issues that are quite serious indeed. It would be a great mistake to proceed with a decision on the merits of Civic License Holding Company, Inc.'s proposed channel substitutions without first resolving these important issues.

IV.

With regard to the merits of the proposed amendment, IBN respectfully submits that it is clearly not in the public interest that the Table of Allotments be amended. In support of IBN's opposition to the proposed amendment and substitution of channels, a

grassroots movement to oppose the substitution of channels began about two weeks ago in Lufkin, Texas, the city KTRE is licensed to serve. The movement has now spread to other cities within the viewing areas of KLTV and KTRE. As of this morning, the official count, certified by a C.P.A., showed that 6,241 persons had signed petitions stating the following:

The undersigned citizens, all of whom reside within the coverage area of KLTV or KTRE, strongly support International Broadcasting Network's opposition to the petitions filed by Civic License Holding Company, Inc., to amend the DTV Table of Allotments to substitute channels 10 and 11 for those previously assigned. Such a substitution would not be in the public interest and should therefore be denied.

Many more similarly-worded petitions are still in circulation, and the final tally of original signatures is expected to easily exceed 10,000.

V.

It is the Commission's duty to act in the public interest, and, in this instance, there is no better indicator of the public interest than the petitions signed by thousands of citizens residing within the coverage areas of KLTV and KTRE. The home folks know what they want, and they feel strongly about it. In a democratic society, it is incumbent upon government officials to heed the voice of the people. Neither lobbyists nor lawyers for any special interest should be allowed to override the will of the people as clearly and unequivocally expressed by the petitions.

VI.

If either KLTV or KTRE were to be granted the channel substitutions they are

seeking, IBN would be severely impacted. IBN's stations in Longview and Lufkin would be displaced, and it is believed that IBN's station in Crockett, Texas, would be affected as well due to adjacent channel taboos. Each of IBN's stations is serving the public interest in a way that no other station in East Texas can possibly do, and the displacement of IBN's stations would be a huge loss to the viewers and the communities the stations serve. To date, IBN has been unable to find any suitable replacement channels on which its Longview and Lufkin stations could be rebuilt.

VII.

The arguments that have been advanced on behalf of the owners of KLTV and KTRE are believed to be specious. On October 27, 1999, Civic License Holding Company, Inc., filed applications for construction permits to build KLTV's digital facility on channel 38 and KTRE's digital facility on channel 43. Both of those applications were granted and remain in effect. Insofar as IBN is aware, there has been no change of circumstances to warrant the channel substitutions. The arguments advanced on behalf of Civic License Holding Company, Inc., appear to be boilerplate written in a lawyer's office to achieve the desired result. They do not appear to have any known relationship to reality. KLTV-DT and KTRE-DT can be built in accordance with the existing permits, and that should be done without delay.

VIII.

For the foregoing reasons, it is respectfully urged that the issues hereinabove

referred to be investigated and that the proposal of Civic License Holding Company, Inc.,
to amend the DTV Table of Allotments be denied.

Respectfully submitted,

INTERNATIONAL BROADCASTING NETWORK

By its President

A handwritten signature in black ink, appearing to read "Paul J. Broyles". The signature is fluid and cursive, with the first name "Paul" and last name "Broyles" clearly distinguishable.

Paul J. Broyles
5206 FM 1960 West, Suite 105
Post Office Box 691111
Houston, Texas 77269-1111

Telephone: 281-774-9922
and 281-774-9923

E-Mail: IBN@ev1.net

November 12, 2001

EXHIBIT A

Attached to and made a part of the

COMMENTS OF INTERNATIONAL BROADCASTING NETWORK

November 12, 2001

INTERNATIONAL BROADCASTING NETWORK

5206 FM 1960 West, Suite 105

Post Office Box 691111

Houston, Texas 77269-1111

Telephone 281-774-9922

Certified Mail – Return Receipt Requested

7099 3400 0018 2318 6162

October 4, 2001

President

Civic License Holding Company, Inc.

715 South Jefferson Street

Jackson, Mississippi 39205

Dear Sir:

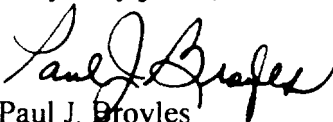
On May 1, 2000, Civic License Holding Company, Inc., hereinafter referred to as "Civic", filed petitions and applications seeking to take channels 10 and 11 away from IBN's stations in Longview and Lufkin, Texas. Since that time, we have made numerous unsuccessful attempts to contact you.

Serious questions have arisen about your company, its ownership and control and its operation of KLTV, KTRE and WLBT. Accordingly, we will appreciate your clarification of the following issues:

1. After Civic's acquisition of KLTV, KTRE and WLBT, did any prior owner or other unauthorized person continue to exercise any degree of management control?
2. When did The Liberty Corporation or its subsidiary Cosmos Broadcasting Corporation begin to exercise any degree of management control over KLTV, KTRE, WLBT or Civic?
3. Was either The Liberty Corporation or Cosmos Broadcasting Corporation involved in any manner in the preparation or filing of the above-mentioned petitions and applications?
4. What relationship now exists between The Liberty Corporation, Cosmos Broadcasting Corporation and Civic?
5. What entity now owns and operates KLTV, KTRE and WLBT?

This matter is urgent. Your immediate response will be appreciated.

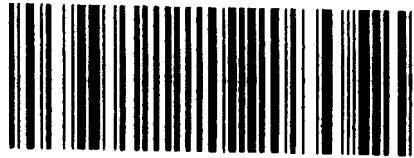
Very truly yours,



Paul J. Broyles
President

INTERNATIONAL BROADCASTING NETWORK
Post Office Box 691111
Houston, Texas 77269-1111

CERTIFIED MAIL



7099 3400 0018 2318 6162

President
Civic License Holding Company, Inc.
715 South Jefferson Street
Jackson, Mississippi 39205



***** WELCOME TO *****
 CORNERSTONE
 HOUSTON, TX 77014-9998
 10/04/01 03:11PM

Store USPS Trans 93
 Wkstn sys5002 Cashier KHP49M
 Cashier's Name CHRISTINE
 Stock Unit Id WINCHRISTINE
 PO Phone Number 800-275-8777

1. First Class 3.94
 Destination: 39205
 Weight: 0.50oz
 Postage Type: PVI
 Total Cost: 3.94
 Base Rate: 0.34
 SERVICES
 Certified Mail 2.10
 Return Receipt 1.50

Subtotal 3.94
 Total 3.94
 Personal/ Business Check 3.94

Number of Items Sold: 1

Thank You
 Please come again!

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

President
 Civic License Holding Company, Inc.
 715 South Jefferson Street
 Jackson, Mississippi 39205

2. Article Number

(Transfer from service label)

7099 3400 0018 2318 6162

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-1424

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

10-9-01

C. Signature

x Sally A. Prock ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

JACKSON, MS 39205

Postage	\$ 0.34	UNIT ID: 0051 Postmark Here Clerk: KHP49M 10/04/01
Certified Fee	2.10	
Return Receipt Fee (Endorsement Required)	1.50	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 3.94	

Recipient's Name (Please Print Clearly) (to be completed by mailer)

President, Civic License Holding
 Street, Apt. No., or P.O. Box
 Company, Inc.
 715 South Jefferson Street
 City, State, ZIP+4
 Jackson, MS 39205

See Reverse for Instructions

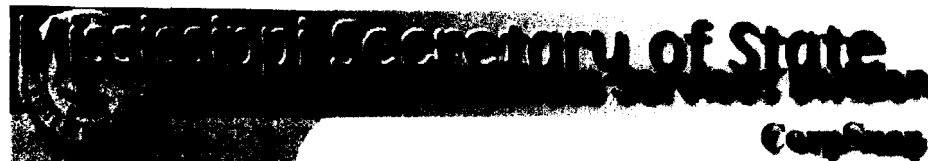
7099 3400 0018 2318 6162

EXHIBIT B

Attached to and made a part of the

COMMENTS OF INTERNATIONAL BROADCASTING NETWORK

November 12, 2001



Home	Business Services	Elections	Publications/Administration	Public Lands	Links
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Business Services
(Corporations)

➤ ***Business Summary (Business Names)***

● [CorpSnap - View Information](#)
Corporate Officer

Friday, October 05, 2001 4:07:19 PM

● [Corporate Forms & Instructions](#)

● [SIC Search](#)

● [Registered Agents](#)

● [Corporations Fee Schedule](#)

● [Limited Partnerships Fee Schedule](#)

● [Limited Liability Partnerships Fee Schedule](#)

● [Limited Liability Companies Fee Schedule](#)

● [Contact the Corporations Unit](#)

● [Corporations Home](#)

● [Business Services Home](#)

● [SOS Home](#)

 [Tips on Business Name Searches](#)

 [Help on Business Services Snapshot](#)

Perform another search?

Business Name:

Search on Business Name: "CIVIC LICENSE HOLDING COMPANY, INC."

No Records were found...

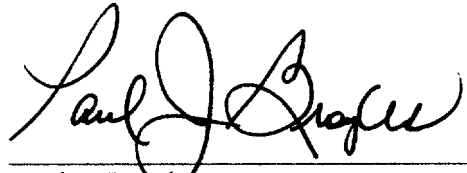
For questions or comments about the Mississippi Secretary of State's web site, please send e-mail to Administrator@sos.state.ms.us.

For questions or comments concerning the Business Services Division, please send e-mail to [Business Services](#).

CERTIFICATE OF SERVICE

I, Paul J. Broyles, hereby certify that on this 12th day of November 2001 a copy of the foregoing COMMENTS OF INTERNATIONAL BROADCASTING NETWORK has been served by first-class mail, postage prepaid, upon the following:

Scott S. Patrick
Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, NW
Suite 800
Washington, DC 20036-6802
(Counsel for Civic License Holding Company, Inc.)



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